

AMENDED IN SENATE MAY 26, 2009
AMENDED IN SENATE APRIL 30, 2009
AMENDED IN SENATE APRIL 14, 2009

SENATE BILL

No. 652

Introduced by Senator Huff

February 27, 2009

An act to add Article 5.3 (commencing with Section 14073) to Chapter 1 of Part 5 of Division 3 of Title 2 of the Government Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 652, as amended, Huff. Alameda Corridor-East Construction Authority.

Existing law provides for the creation of a separate public entity pursuant to a joint powers agreement among existing public entities pursuant to the Joint Exercise of Powers Act.

This bill would provide that the Alameda Corridor-East Construction Authority and the San Gabriel Valley Council of Governments, a joint powers agency created pursuant to the Joint Exercise of Powers Act, of which the authority is a part, shall be considered political subdivisions of the state, and that these entities may be applicants for state or federal funds for *certain* projects within their jurisdiction. The bill would make legislative findings and declarations that it is declaratory of existing law.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Article 5.3 (commencing with Section 14073) is added to Chapter 1 of Part 5 of Division 3 of Title 2 of the Government Code, to read:

Article 5.3. Alameda Corridor-East Construction Authority

14073. The Alameda Corridor-East Construction Authority is a part of an existing joint powers authority, the San Gabriel Valley Council of Governments, formed pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1, which consists of the 29 cities in the San Gabriel Valley of Los Angeles County, the County of Los Angeles, and a joint powers agency consisting of three municipal water districts. The purpose of the Alameda Corridor-East Construction Authority is to mitigate the impacts of significant increases in rail traffic over 70 miles of mainline railroad in the San Gabriel Valley through the construction of multiple construction projects including near-term, low-cost mobility improvements that encompass safety upgrades and traffic signal control measures, and grade separations. The powers and duties of the Alameda Corridor-East Construction Authority are specified in Section 27 of the third amended and restated joint exercise of powers agreement, effective April 3, 2007.

14073.1. The Alameda Corridor-East Construction Authority and the San Gabriel Valley Council of Governments shall be considered political subdivisions of the state.

14073.2. The Alameda Corridor-East Construction Authority and the San Gabriel Valley Council of Governments may be ~~applicants for state or federal funds for projects within their~~ *applicants for state funds, or for federal funds administered by the Federal Railroad Administration, for highway-railroad grade separation projects, highway-railroad grade crossing projects, railroad realignment projects, and railroad safety projects for the purposes of facilitating the movement of goods by railroad, enhancing railroad safety, or mitigating the consequences on*

1 *adjacent communities of the movement of goods by railroad within*
2 *their area of jurisdiction.*

3 14073.3. It is the intent of the Legislature that, for the purpose
4 of determining eligibility for the Federal Railroad Administration
5 program for Capital Grants for Rail Line Relocation and
6 Improvement Projects, this article shall apply.

7 SEC. 2. The Legislature finds and declares that this act is
8 declaratory of existing law with respect to the status of the Alameda
9 Corridor-East Construction Authority and the San Gabriel Valley
10 Council of Governments as political subdivisions of the state.

11 SEC. 3. This act is an urgency statute necessary for the
12 immediate preservation of the public peace, health, or safety within
13 the meaning of Article IV of the Constitution and shall go into
14 immediate effect. The facts constituting the necessity are:

15 In order to clarify the status of the San Gabriel Valley Council
16 of Governments and the Alameda Corridor-East Construction
17 Authority for the purpose of obtaining access to immediately
18 available federal funding, it is necessary that this act take effect
19 immediately.